

Felony ☒ JUDGE/Assigned Trial
 Minor Offense ☐ MAGISTRATE 8509
 Other Misdemeanor ☐ 1085 District 4 Office 6-22-76

U. S. vs.

MOSS, CHARLES STEWART (30)
 2255-S-108th-E-Ave- (622-2562)
 Tulsa-74129-see below defendant

Case Filed Yr. Docket No. Def.
 Day Mo. 7 1 76-CR-7 - 1
 No. of *
 Defendants

CHARGES

U. S. CODE SECTION
 26:5861(d)

OFFENSES
 Pos. of unregistered firearm
 (\$10,000 and/or 10 yrs.)

COUNTS
 1

MAGR. CASE NO.

BAIL • RELEASE

☐ Personal Recog.
☐ Denied ☐ Unsecured Bond
☐ AMT ☐ Conditional Release
 Set (000) ☐ 10% Deposit
 \$ 5 ☐ Surety Bond
☐ date 9 ☐ Collateral
☐ Bail Not Made ☐ 3rd Party
☒ Bail Status Changed ☐ Custody
 (See Docket) ☐ PSA
☒ X C/S

ATTORNEYS

Ben F. Baker

Defense: ☐ CJA, ☒ Ret; ☐ Waived; ☐ Self; ☐ None ☐ Other; ☐ LPD, ☐ LCD

Ed Parks, Jr. PH: 582-3222

217 W. 5th St.

Tulsa, Okla. 74119

II. KEY INTERVALS & DATES

ARREST	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
1/9/76 U.S. Custody Began on Above Charges 1/9/76	1/7/76 Information <input type="checkbox"/> High Risk Defn. & Date Design'd <input type="checkbox"/> Waived <input type="checkbox"/> Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	1-15-76 1st Plea " " Final Plea	Trial Set For 2-23-76 <input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Guilty	Disposition 6-22-76 <input checked="" type="checkbox"/> Convicted <input checked="" type="checkbox"/> On All Charges <input type="checkbox"/> Acquitted <input type="checkbox"/> On Lesser* Offense(s) <input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP; <input type="checkbox"/> WP* <input type="checkbox"/> Nollo/Discontinued*

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/No.	INITIAL APPEARANCE	INITIAL/No.	OUTCOME
Return				PRELIMINARY EXAMINATION OR REMOVAL HEARING		<input type="checkbox"/> Dismissed <input type="checkbox"/> Held for District GJ <input type="checkbox"/> Held to Answer to U. S. District Court
Summons	Issued Served			<input type="checkbox"/> Waived <input type="checkbox"/> Not Waived <input type="checkbox"/> Intervening Indictment		<input type="checkbox"/> Exonerated <input type="checkbox"/> To Transferee District
Arrest Warrant				Tape No.	INITIAL/No.	AT: Magistrate's Initials
COMPLAINT						
OFFENSE (In Complaint)						

* Show last names and suffix numbers of other defendants on same indictment/information

V. Excludable Delay

DATE	PROCEEDINGS	(a)	(b)	(c)	(d)
- 1976 -					
1-7	Record vote of Grand Jury filed in open court. rm				
1-7	Indictment filed in open court. Bail fixed \$5,000 C/S. (AEB-J) rm	2	1-7-76	M	
1-8	Warrant issued. rm				
1-9	MO: Upon oral request for good cause shown, the Court finds the \$5,000 C/S bond for defendant should be reduced to \$5,000 OR bond. (AEB-J) rm				
1-9	Def't. appeared before Mag. CSB and advised bail was set at \$5,000 OR. Def't. released on \$5,000 OR bond.				
1-9	Appearance bond in amt. of \$5000 (personal), filed. rm				
1-9	Order, filed, specifying methods and conditions of release. (CSB-Mag)rm				
1-9	Case set for arraignment for 1/15/76 at 10 a.m.(AEB-J)rm-nt.				
1-13	Return on Warrant for Arrest of Def't., fld. Rec'd 1-9-76 & executed 1-9-76 by arresting Def't. in Tulsa. v	2	1-9-76	M	3
1-15-76	Case called for arraignment. Def't. present. Atty. not present. Victor Ellis appointed to represent Def't. for purpose of arraignment. Govt. represented. Def't. acknow. receipt of indict, is advised of charge & enters plea of NOT GUILTY. Case set for jury trial 2-23-76, 9:30 A.M. (OVER)				

IV. MAGISTRATE & DISTRICT COURT DOCKET ENTRIES

For Identifying
Periods of Exclud-
able Delay Per 18
U.S.C. 3161(h)

A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244).

B. NARA Exami-
nation (28
U.S.C. 2902).

C. State or Federal
trials on other
charges.

D. Interlocutory
Appeals.

E. Hearings on
pretrial motions.

F. Transfers from
other districts
(per F.R.Cr.P.
Rules 20, 21
& 40).

G. Defendant Motion
is actually
under advis-
ement. Period of
up to 30 days
is excludable
per
3161(h)(1)(G).

H. Miscellaneous
Proceedings:
Probation or
Parole revoca-
tion, Deporta-
tion, Extradition.

I. Prosecution defer-
red by
mutual agree-
ment.

M. Unavailability
of defendant
or essential
witness.

N. Period of men-
tal or physical
incompetence
of defendant to
stand trial.

O. Period of
NARA Com-
mitment or
Treatment.

P. Superseding
indictment
and/or new
charges.

R. Defendant
awaiting trial
of Co-defen-
dant when no
severance has
been granted.

T. Continuances
Granted per
3161(h)(8)
(i.e. ends of
justice or com-
plexity of case
outweighs de-
fendants' in-
terests).

U. Time between
guilty plea and
plea with-
drawal.

V. Time while
moving prisoner
from state insti-
tutions per
transfer/
detainer pro-
cedure.

W. Grand Jury in-
dictment ex-
tended per
3161 (b).

Y. Any delay ex-
cluded by court
order for reasons
not included
above.

DATE	IV. PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1-15-Cont.	Deft. given 10 days to file motions; Govt. 5 days to respond. Deft. to stand on present bond.(AEB-J)b				
2-3-	MO: Case set for jury trial 2-23-76, 9:30 A.M.(AEB-J) b nts mld cert.				
2-23-	Case called for jury trial. Deft. present & represented. Govt. represented. Deft. waives jury trial. Waiver signed & filed in open court. Trial to be set for N/J.(AEB-J)b				
2-23	Deft's Motion to Suppress, filed. 1m	3	2-23-76	E	
2-27	USM return on subpoenae, filed. Served George Smith. Lynn Jones, and Sam Cox. k				
3-29	MO: Case set for Non-Jury trial on 5-11-76, at 10:00 A.M.(AEB-J)b nts mld <i>affid. mld</i>				
5-3	Brief in support of Deft's Motion to suppress, filed. b				
5-3	Deft's exhibit affidavit, filed. b				
5-4	Govt's Trial brief, filed. b cpy to Dene				
5-4	Govt's exhibit affidavit, filed. b				
5-7	MO: Case stricken from docket of 5-11-76, to be re-set.(AEB-J)b nts by phone				
5-17	MO: Case set for Non-Jury trial on June 8, 1976 at 10:00 A.M. (AEB-J)t nts mld, t <i>Certified mail</i> <i>affid. mld.</i>				
6-8	Case called for Non-Jury trial. Deft. present & represented. Govt. represented by N. Graham for Ben Baker. Parties request hearing on pending motion to suppress. Hearing held on motion to suppress, witnesses sworn & testify. Ct. overrules motion. Deft. makes statement re: new evidence & allowed to call new witness. Govt. also allowed add'l witness. Ct. stands on ruling. Pltf. presents case in chief, witness sworn & testifies. Parties stipulate as to evidence heretofore heard. Pltf. rests. Deft. moves for admission of testimony heretofore heard as Deft's case in chief. Ct. allows. Ct. finds Deft. GUILTY as charged in indictment. Deft. advised of right to appeal. Pre-sentence report ordered & sentencing set for June 22, 1976, at 2:00 P.M. Deft. to remain on present bond. Govt's request to obtain custody of their Exhibit #1 allowed by Court.(AEB-J)b	3	6-8-76	E	107
6-8	Govt. Exhibit #2 in file. b				
6-22	Case called for sentencing. Deft. present & represented. Govt. represented by K. Snoke for B. Baker. Deft. & co. asked if they have anything to say before sentence is pronounced: Judgment & Sentence - Charles Stewart Moss Impos. of sent. suspended & Deft. placed on proba- tion for period of three (3) years. Bond exonerated.(AEB-J)b				
6-22	Judgment & Order of Probation, filed & entered.(AEB-J)b				
6-22	Two c/c of J & O of Prob. to probation. b				
1981					
1-8	EXHIBITS returned to respective parties.am				
		(a)	(b)	(c)	(d)

Interval
(per Section II)

Start Date
End Date

Ltr. Total
Code Days